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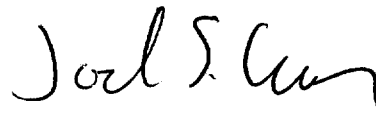
July 6, 1994

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

> Re: **Ex Parte Presentation**
>   **GEN Docket No. 90-314** ✓
>   **PP Docket No. 93-253**

Dear Mr. Caton:

On yesterday's date Joel Winnik, Marv Diamond and Julie Barton of
Hogan & Hartson and John Bowen of McNair & Sanford representing the small
independent telephone companies of North and South Carolina (list of companies
attached), met with Donald Gips, Deputy Chief, Office of Plans & Policy; Abbie
Baynes, Attorney Advisor General; Jackie Chorney, Attorney Advisor General and
Greg Rosston, Telecommunications Policy Analyst and discussed questions
regarding PCS eligibility and attribution, as reflected on the attached
memorandum.

Sincerely,

Joel S. Winnik

Enclosure(s)

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List ABCDE

SMALL INDEPENDENT TELEPHONE COMPANIES OF MTA #09

Atlantic TMC (NC)
Bluffton Telephone Company (SC - located in MTA #01)
Chesnee Telephone Company (SC)
Chester Telephone Company (SC)
Citizens Telephone Company (NC)
Concord Telephone Company (NC)
Ellerbe Telephone Company (NC)
Farmers Telephone Cop. (SC)
Fort Mill Telephone Company (SC)
Hargray Telephone Company (SC - located in MTA #01)
Hart Telephone Company (GA)
Heath Springs Telephone Co. (SC)
Home Telephone Company (SC)
Horry Telephone Cooperative (SC)
Lancaster Telephone Company (SC)
Lexington Telephone Company (NC)
Lockhart Telephone Company (SC)
Mebtel Communications (NC)
North State Telephone Company (NC)
Palmetto Rural Telephone Coop. (SC)
Piedmont Rural Telephone Coop. (SC)
Piedmont TMC (NC)
Pond Branch Telephone Company (SC)
Randolph Telephone Company (NC)
Randolph TMC (NC)
Ridge Telephone Company (SC)
Ridgeway Telephone Company (SC)
Rock Hill Telephone Company (SC)
Sandhill Telephone Cooperative (SC)
Skyline TMC (NC)
Star TMC (NC)
Surry TMC (NC)
Tri-County TMC (NC)
West Carolina Rural Tel. Coop. (SC)
Wilkes TMC (NC)
Yadkin Valley TMC (NC)

MEMORANDUM

July 7, 1994

RE: PCS Eligibility

The following is a list of PCS eligibility questions.

Investor A	PCS 1 - 30 MHz	RSA 1 - 12% population
Investor B	PCS 2 - 30 MHz	RSA 2 - 6% population
A and B are designated entities not under common control		RSA 3 - 6% population

1.   A owns 6% of PCS 1 and 6% of PCS 2.
                Presume prohibited.

2.   A owns 6% of PCS 1 and 3% of PCS 2.
                Presume OK.

3.   A owns 6% of PCS 1 and 3% of PCS 2.
            B owns 3% of PCS 1 and 6% of PCS 2.
                Presume OK.

4.   A owns 6% of PCS 1 and 45% of RSA 1 (12% population).
                Presume prohibited.

5.   A owns 3% of PCS 1 and 45% of RSA 1 (12% population).
                Presume OK.

6.   A owns 6% of PCS 1 and 25% of RSA 1 (12% population).
            B owns 6% of PCS 1 and 20% of RSA 1.
                Presume not OK. Aggregate

7.   A owns 3% of PCS 1 and 25% of RSA 1.
            B owns 3% of PCS 1 and 20% of RSA 1.
                Presume OK. A and B each below 5% of PCS.

8.   A owns 6% of PCS 1, and 45% of RSA 2 (6% population).
                                45% of RSA 3 (6% population).
        Presume not OK.

9.   A owns 6% of PCS 1   20% of RSA 2
                                20% of RSA 3
        B owns 6% of PCS 1   25% of RSA 2
                                25% of RSA 3
        Presume not OK.

10.   A owns 6% of PCS 1 and 45% of RSA 2 (6% population).
        B owns 6% of PCS 1 and 45% of RSA 3 (6% population).
        Presume OK.

11.   Investors A, B, C and D each own a 5% interest in PCS 1.
        A, B and C each own 15% of RSA 2 (6% population).
        B, C and D each own 15% of RSA 3 (6% population).
                Presume OK, since common ownership
                is 30% of RSA.

Multiplier Questions:

12.   Corporation X owns 6% of PCS 1.
        Corporation Y owns 6% of PCS 2.
        A owns 6% of Corporation X and Corporation Y.
                OK?

13.   Partnership X owns 6% of PCS 1.
        Partnership Y owns 6% of X.
        A owns 6% of Y.
                What is A's interest in PCS 1?

14.   Corporation X owns 40% of RSA 1 (12% population).
        A owns 40% (non-controlling) of Corp. X.
        A owns 6% of PCS 1.
                OK?

15.   Corporation X owns 40% of RSA 1.
        A owns 20% of Corp. X.
        A owns 40% of Corp. X.
        A owns 50% of Corp. X.
                What is A's interest in RSA 1?